

House Study Bill 93 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CHAIRPERSON TJEPKES)

A BILL FOR

1 An Act relating to the use of automated traffic enforcement
2 systems.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.1, Code 2011, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 95. *"Automated traffic enforcement system"*
4 means a device with one or more sensors working in conjunction
5 with at least one of the following:

6 a. An official traffic-control signal, to produce recorded
7 images of motor vehicles entering an intersection against a
8 flashing red or steady circular red light.

9 b. An official traffic-control signal at a railroad grade
10 crossing, as described in section 321.342, to produce recorded
11 images of vehicles violating a flashing red or steady circular
12 red light.

13 c. A speed measuring device, to produce recorded images of
14 motor vehicles travelling at a prohibited rate of speed.

15 Sec. 2. NEW SECTION. **321.5A Automated traffic enforcement**
16 **systems.**

17 The state or a local authority shall not use an automated
18 traffic enforcement system except as provided in this section.

19 1. A local authority may by ordinance authorize the use of
20 automated traffic enforcement systems to detect violations of
21 posted speed limits or official traffic-control signals which
22 constitute municipal or county infractions.

23 2. A local authority using one or more automated traffic
24 enforcement systems shall erect a sign providing notice of the
25 use of automated traffic enforcement at that point on every
26 highway that intersects the jurisdictional limits of the local
27 authority. A sign shall also be posted by the local authority
28 on each road on the approach to the next speed limit zone or
29 official traffic-control signal on that road where an automated
30 traffic enforcement system is in use.

31 3. Recorded images produced by an automated traffic
32 enforcement system evidencing a violation of a posted speed
33 limit or an official traffic-control signal shall be verified
34 by a peace officer of the law enforcement agency and certified
35 by the chief officer of the law enforcement agency or the

1 chief officer's designee. A citation or simple notice of
2 a fine mailed or delivered to the registered owner of the
3 vehicle involved in the violation shall be accompanied by such
4 certification.

5 4. A local authority shall not establish a penalty in excess
6 of fifty dollars for a violation detected by an automated
7 traffic enforcement system.

8 Sec. 3. EXISTING AUTOMATED TRAFFIC ENFORCEMENT SYSTEMS —
9 VALIDITY OF PRIOR NOTICES AND CITATIONS. Notices mailed or
10 citations issued of violations committed prior to the effective
11 date of this Act, pursuant to a local ordinance authorizing the
12 use of an automated traffic enforcement system, shall not be
13 invalidated by the enactment of this Act and shall be processed
14 according to the provisions of the law under which they were
15 authorized.

16 EXPLANATION

17 This bill authorizes and restricts the use of automated
18 traffic enforcement (ATE) systems by state and local highway
19 authorities.

20 The bill defines "automated traffic enforcement system" as
21 a device with one or more sensors working in conjunction with
22 at least one of the following: an official traffic-control
23 signal at an intersection, an official traffic-control signal
24 at a railroad grade crossing, or a speed measuring device. An
25 ATE system records images of vehicles violating an associated
26 traffic-control signal or a speed limit. The definition
27 includes within its scope devices known as "red light cameras"
28 and "speed cameras".

29 The bill authorizes the use of ATE systems in conjunction
30 with official traffic-control signals or for the enforcement
31 of speed limits pursuant to municipal or county ordinance. A
32 local authority using one or more ATE systems is required to
33 provide notice of the use of ATE by posting signs on highways
34 intersecting the jurisdictional limits of the local authority.
35 In addition, signs must be posted on each road on the approach

1 to the next speed limit zone or traffic-control signal on that
2 road where an ATE system is in use.

3 Before a notice of a fine or a citation is mailed or
4 delivered to the owner of a motor vehicle, the recorded
5 image evidencing the violation must be verified by a peace
6 officer of the law enforcement agency and certified by the
7 chief law enforcement officer or the officer's designee. The
8 bill provides that a fine imposed by a local authority for a
9 violation detected by an ATE system shall not exceed \$50.

10 The bill provides that notices mailed or citations issued of
11 violations committed prior to the effective date of the bill,
12 pursuant to a local ordinance, are not invalidated by the bill
13 and remain enforceable.